

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 552 OF 2021

Dinanath @ Dinesh Ramayan Yadav ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. R. D. Suryawanshi, Advocate for the Applicant.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

Ms. Yogita P. Jadhav, A.P.I., Vishnu Nagar Police Station, Dombivli,
District – Thane present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd MARCH, 2021.

PC :

. This is an application for anticipatory bail in connection with C.R.No.I-70/2020 registered with Vishnu Nagar Police Station, Dombivli, District – Thane for the offences under Sections 332, 353, 504 read with 34 of Indian Penal Code.

2. The complaint was lodged by the Police Sub-Inspector on 10th March 2020. It is alleged, that police were on patrolling duty and at about 1.30 a.m. on 10th March 2020, the accused were found quarreling and fighting. The police tried to intervene. At that time, the accused including the applicant assaulted policemen. One of the Constable had sustained abrasions. The F.I.R also mention that all of

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them were taken to Police Station and they were allowed to go. On the next day in the afternoon at about 14.45 p.m., the F.I.R. was registered on 10th March 2020. After registration of F.I.R., the accused Nos.1 and 2 were arrested at 17.37 p.m.

3. The contention of the applicant is that, the fact that the applicant and co-accused were allowed to go indicate that no such incident had occurred. The mother of the accused No.1 had visited the Police Station and she was manhandled and she was to protest against Police. Apprehending such complaint, F.I.R. was registered on the next day in the afternoon.

4. Learned APP submitted that one of the Constable was injured corroborates the complaint. There is eye witness to the incident.

5. All the witnesses are Police Constables. The case of the complainant is that, P.S.I. was injured. It is difficult to believe that the accused were let out free and the F.I.R. was registered on next day in the afternoon. The accused Nos.1 and 2 were arrested and they were granted bail after three days. There are no criminal antecedents against the applicant. Hence anticipatory bail can be granted.

6. Hence, the following order.

ORDER

- (i) Anticipatory Bail Application No.552 of 2021, is allowed.
- (ii) In the event of arrest of the applicant in C.R.No.I-70-2020 registered with Vishnu Nagar Police Station, Dombivli, District – Thane, the applicant be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the investigating officer on 11th and 12th March 2021 between 11.00 a.m. to 01.00 p.m.
- (iv) Anticipatory Bail Application No.552 of 2021, stand disposed of accordingly.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)